



Office of the Attorney General

State of Texas

November 20, 1998

DAN MORALES

ATTORNEY GENERAL

Ms. Judith A. Hunter
Paralegal
City of Georgetown
P. O. Box 409
Georgetown, Texas 78627-0409

OR98-2786

Dear Ms. Hunter:

You ask this office to reconsider our decision in Open Records Letter No. 98-1940 (1998). Your request for reconsideration was assigned ID# 119588.

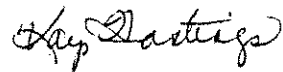
Open Records Letter No. 98-1940, which concerned a request for all information concerning arrest number 98-370, determined that the Georgetown Police Department may withhold from disclosure the requested information based on section 552.108 of the Government Code with the exception of the front page basic information. *See* Gov't Code § 552.108(c). You now ask that we consider whether the requested information in its entirety should be withheld from disclosure based on section 552.101 of the Government Code in conjunction with the common-law right to privacy. You express concern for the safety of certain individuals.

Section 552.101 of the Government Code excepts from required public disclosure information considered to be confidential by law, including information made confidential by judicial decision. This exception applies to information made confidential by the common-law right to privacy. *Industrial Found. v. Texas Indus. Accident Bd.*, 540 S.W.2d 668 (Tex. 1976), *cert. denied*, 430 U.S. 931 (1977). Information may be withheld under section 552.101 in conjunction with the common-law right to privacy if the information contains highly intimate or embarrassing facts about a person's private affairs such that its release would be highly objectionable to a reasonable person and if the information is of no legitimate concern to the public. *See id.* With regard to your safety concerns, this office has concluded that address information is excepted from disclosure only when the individual about whom the information concerns has demonstrated with sufficient specificity the existence of special circumstances that would make disclosure a clearly unwarranted invasion of personal privacy. Open Records Decision No. 169 (1977).

We have considered your arguments. We note that this request does not present a question concerning endangering an individual's safety by releasing the individual's address. We conclude that the release of the front page basic information is not a clearly unwarranted invasion of personal privacy in this case.

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Kay Hastings
Deputy Chief
Open Records Division

KHH/mjc

Ref.: ID# 119588

Enclosures: Submitted documents

cc: Mr. David C. Bedford
3010 Williams Drive, No. 12
Georgetown, Texas 78628
(w/o enclosures)